REMARKS

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 1-16 under 35 U.S.C. § 103(a) as being

unpatentable over <u>Manabu</u> in view of <u>Ueda</u>.

Claim 1 includes each of the video source and recording devices initializing a

cipher unit. Specifically, claim 1 includes the limitation "each of the video source

and recording devices initializing a cipher unit with said initialization value."

Claims 11 includes each of the video source and recording devices

incorporating copy control information as part of an initialization value.

Specifically, claim 11 includes the limitation "incorporating said n-bits of copy

control information as part of an initialization value with each of the video source

device and the video recording device."

<u>Manabu</u> does not teach or suggest each of the video source and recording

devices initializing a cipher unit or incorporating copy control information as parts

of an initialization value. <u>Manabu</u> teaches a digital information recording apparatus

to record digital information to protect copyright of digital information that includes

at least first digital information and first copy control information (Abstract). As

illustrated in Figure 1, the apparatus includes a digital signal input terminal 301, a

copy control information input terminal 302, an encryption circuit 303, a copy

control information discrimination circuit 304, a selection circuit 305, a copy control

information additional circuit 306, and an output terminal 307. A digital signal

inputted from the input terminal 301 is supplied to the encryption circuit 303 and

the selection circuit 305 (Col. 3, lines 41-48). A copy control information which relates to the digital signal from the input terminal 301 is inputted into the input terminal 302 (Col. 3, lines 48-51). The copy control information discrimination circuit 304 performs a discrimination procedure based on the copy control information from the input terminal 302 (Col. 3, lines 58-60). The encryption circuit 303 encrypts the inputted digital signal with a predetermined encryption key which may be usually renewed minute by minute and output the encrypted digital signal (Col. 4, lines 4-7). The copy control information additional circuit 306 adds the copy control information inputted from the input terminal to the output data from the selection circuit 305 (Col. 4, lines 53-56). Manabu thus discloses initializing the encryption circuit based on a single stream of copy control information. Specifically, Manabu does not teach or suggest each of the video source and recording devices initializing a cipher unit or incorporating copy control information as parts of an initialization value.

Ueda does not teach or suggest each of the video source and recording devices initializes a cipher unit or incorporating copy control information as part of an initialization value. Ueda teaches an information recording medium including a lead-in area and a data recording are (Abstract). As illustrated in Figure 1, in a predetermined location in the lead-in area of the disk, information which determines a scramble-processing method which is performed with respect to the user data is recorded (Col. 7, lines 55-59). This information is referred to as "scramble information." The information reproducing device reads the area where the

scramble information is recorded, interprets the scramble information and performs descramble- processing in accordance with the scramble information with respect to the user data (Col. 7, lines 59-63). Figure 3 shows another data structure with an initial value table directly recorded in the lead-in area of the disk (Col. 8, lines 54-56). The user data which is subjected to scramble-processing with a random number sequence generated by using the initial value table is recorded in the data recording area in the disk (Col. 8, lines 57-59). The information reproducing device reads the initial value table recorded in the lead-in area in the disk, and interprets the initial value table. Thereafter, the information reproducing device sets a descramble-processing procedure in accordance with the initial value table, and descrambles the user data in accordance with the descramble-processing procedure (Col. 8, line 63-Col. 9, line 2). Ueda thus discloses storing scramble information on a disk and descrambling the scramble information using an information reproducing device. Specifically, Ueda does not teach or suggest each of the video source and recording devices initializing a cipher unit or incorporating copy control information as parts of an initialization value.

Therefore, claims 1 and 11 are patentable over Manabu in view of Ueda because claims 1and 11 include a limitation that is not taught or suggested by Manabu and Ueda.

Claims 2-4, 12, and are dependent on either claim 1 or 11 and should be allowable for the same reasons stated above.

Claims 5-10 and 14-16 have been cancelled.

Applicants, accordingly, respectfully request withdrawal of the rejections of

claims 1-4 and 11-13 under 35 U.S.C. § 103(a) as being unpatentable over <u>Manabu</u> in

view of <u>Ueda</u>.

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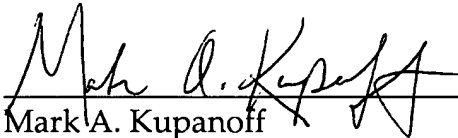Application No.: 09/608,996   - 8/9-   Art Unit: 2136

Applicants, respectfully submit that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Mark A. Kupanoff at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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